

## Message

**From:** Jim Kolotouros [REDACTED]@google.com]  
**Sent:** 7/8/2014 8:56:51 PM  
**To:** David Thevenon [REDACTED]@google.com]  
**Subject:** Re: rev share agreement with OEMs

let's discuss in the car... long story short: putting everything in the MADA is an impossibility. but happy to provide more details.

On Mon, Jul 7, 2014 at 5:53 PM, David Thevenon [REDACTED]@google.com> wrote:  
Hi Jim,

Sorry, reading that in the plane just now.

I am sorry to hear for the loss, please accept my condolences.

On your point below, and Tanuj's, let's put a recommendation together we can show Joan - she is wondering now about how to get to tighter placement/UI requirement, and maybe the idea is indeed that we have MADA for the basic, and use rev share for an advanced version. Joan is indeed going to ask indeed why we don't put everything in the MADA. What is the answer to that? anti-competitive concerns or more?

On Thursday, July 3, 2014, Jim Kolotouros [REDACTED]@google.com> wrote:  
- Tanuj

Having just returned from a funeral and receiving a good dose of perspective, let me offer a thought. Tanuj's last paragraph is the key. Generally I am not a fan of giving away revenue shares if the partner was going to do what they committed to doing without the revenue share. Joan will jump on this issue and ask "were they going to do this anyway? and if the answer is "yes", it's a problem. And it is very dangerous to signal that the MADA is not good enough.

But I do think we can weave the tighter placement requirements story into the revenue share angle and link it to LG, BB, Huawei and Samsung. Sony is getting done now and we can deal with HP and Asus later. In fact, if Sony delays signing the MADA for much longer I'd go back to them and say "unless you sign this darn thing, we are going to start loading up additional obligations"

The message to Joan should be that we are going to act quickly to alter the revenue share obligations so that our key and biggest partners are aligned with us. We can only ask for so much in the MADA. The revenue share agreement gives us the ability to get more while rewarding the partner at the same time.

My apologies for earlier in the day. It indeed has been a bad one.

JimEK

On Wed, Jul 2, 2014 at 10:02 PM, Tanuj Raja <[REDACTED]@google.com> wrote:  
Hi David:

**EXHIBIT 623**

Here is the background wrt rev share for Huawei and BB.

1. Huawei is #2 in Android volume worldwide (including China) and they have been asking for rev share (they understand that Samsung, LG are getting rev share) and I think it is time to show them that they are an important partner. Additionally, if and when China opens up, we would like to ensure that placement requirements are already in place and Huawei (they have a large market share in China) has seen the benefit of keeping the placement requirements.

Also, companies such as Yandex (primarily in Russia) are offering up to 50% rev share deals to OEMs. We need to stem that tide.

2. Blackberry - BB had originally asked us to exempt them from CTS/CDD so they could upload GMS on their current Android run time devices. We were unable to do that for them. BB has now gone and done a deal with Amazon to place Amazon Store(they had told us that they will do this, since this was their only option) on their current BB10 devices. We want to ensure that they do not abandon native Android platform and need to give them some rev share as they transition to native Android.

In addition, I worry about Amazon store (200K apps and growing) getting a foothold in Android world (for example: they have done a deal with Dell for preloading their App) and we cannot stop OEMs preloading due to anti-competitive concerns on MADA 2.0 only. We can do this through rev share deals.

In my opinion, we should have an overall strategic discussion on how to bring OEMs closer to us(including new ones, Micromax, etc.) - with stricter placement requirements through rev share as possibly one solution (as we are going to do with Sony). This solves a couple of issues; less consumer experience fragmentation and helps stem the tide of emerging App stores.

My two cents...

On Thu, Jul 3, 2014 at 2:07 AM, Jim Kolotouros [REDACTED]@google.com> wrote:

+Tanuj who can share the background

----- Forwarded message -----

From: "David Thevenon" <[REDACTED]@google.com>

Date: Jul 2, 2014 12:56 AM

Subject: rev share agreement with OEMs

To: "Jim Kolotouros" [REDACTED]@google.com>

Cc:

> Hi Jim,

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> Looking at the draft Q3 OKRs, I see we have LG renewal, Huawei (new) and Blackberry (new). Why are we going after those rev share deals? LG renewal I can understand, but how was the decision made to have rev share agreement with Huawei and Blackberry?

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> Thanks,

> David.

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